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9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2008-315

12 DAVID A. DUTCHER
13 21213-B Hawthorne Blvd., #5402
Torrance, CA 90503

A C C U S A T I O N

14 Registered Nurse License No. 680153

15 Respondent.

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17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation
20 solely in her official capacity as the Executive Officer of the Board of Registered Nursing
21 ("Board"), Department of Consumer Affairs.

22 2. On or about June 6, 2006, the Board issued Registered Nurse License
23 Number 680153 to David A. Dutcher ("Respondent"). Respondent's registered nurse license
24 was in full force and effect at all times relevant to the charges brought herein and will expire on
25 March 31, 2010, unless renewed.

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1 conditions. Respondent was also ordered to pay a \$500 fine to the Commission. Pursuant to the
2 Stipulated Findings of Fact, Conclusions of Law, and Agreed Order, a true and correct copy of
3 which is attached as exhibit "A" and incorporated herein by reference, Respondent stipulated to
4 the following facts:

5 a. Respondent was employed as a registered nurse manager at Pleasant Acres
6 Adult Family Home, Lynden, Washington, and was responsible for monitoring Patient A. On or
7 about May 9, 2005, Respondent identified what he determined to a small cyst on Patient A, and
8 left a message for Patient A's physician about the cyst. On or about June 9, 2005, Respondent
9 identified and documented that patient A's cyst had opened. Respondent telephoned Patient A's
10 physician, but failed to follow up to ensure that the physician received the telephone call.

11 b. In October 1996, the Pennsylvania State Board of Chiropractic placed
12 Respondent on a one (1) year probationary period. This disciplinary action was based upon
13 Respondent's use of bee sting therapy, his immobilization treatment of fractured limbs using
14 plaster casts, and his having advertised that he "specializes" in the treatment of various types of
15 ailments, when he was not, in fact, certified in any chiropractic specialty.

16 c. Respondent represented himself on his business card as "Dr. David A.
17 Dutcher, MSN, RN, DC". On or about November 18, 1999, Respondent's application to practice
18 as a chiropractor in the state of Washington was denied for at least 10 years based on his failure
19 to disclose discipline of his chiropractor license in the state of Pennsylvania.

20 d. Respondent committed unprofessional conduct in violation of
21 RCW 18.130, 180(3), (5), and (7), and WAC 246-840-700(3)(a), based on the acts or omissions
22 set forth in subparagraphs (a) through (c) above.

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1. Revoking or suspending Registered Nurse License Number 680153, issued to David A. Dutcher;

3. Taking such other and further action as deemed necessary and proper.


RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California

03579-110-SA2007102059
phd; 02/26/2008